

STATE OF WISCONSIN

CIRCUIT COURT

FOND DU LAC COUNTY

THE STATE OF WISCONSIN,

Plaintiff,

v.

Case No. 10-CF-_____

KRISTINE FLYNN,
(D/O/B: 8/22/1958),

Defendant.

CRIMINAL COMPLAINT

COUNT 1: FORGERY, HABITUAL CRIMINALITY

On or about June 18, 2010, in the county of Fond du Lac, the above-named defendant did forge a writing (to wit: a court "order and decision" awarding guardianship of a minor child) whereby legal rights or obligations are created, contrary to Wisconsin Statutes §§ 943.38(1).

Pursuant to Wis. Stat. § 939.50(3)(h) and § 939.62(1)(b), upon conviction of this charge, a Class H Felony, the maximum penalty for this crime is a fine not to exceed \$10,000 or imprisonment not to exceed ten (10) years, or both.

COUNT 2: FORGERY, HABITUAL CRIMINALITY

On or about June 18, 2010, in the county of Fond du Lac, the above-named defendant did forge a writing (to wit: a "notice" which orders Wisconsin State police officers to assist the defendant in gaining possession of a minor child and the child's money) whereby legal rights or obligations are created, contrary to Wisconsin Statutes §§ 943.38(1).

Pursuant to Wis. Stat. § 939.50(3)(h) and § 939.62(1)(b), upon conviction of this charge, a Class H Felony, the maximum penalty for this crime is a fine not to exceed \$10,000 or imprisonment not to exceed ten (10) years, or both.

COUNT 3: FORGERY, HABITUAL CRIMINALITY

On or about June 18, 2010, in the county of Fond du Lac, the above-named defendant did forge a writing (to wit: a “notice” which orders the termination of guardianship of the Chart family regarding a minor child) whereby legal rights or obligations are terminated, contrary to Wisconsin Statutes §§ 943.38(1).

Pursuant to Wis. Stat. § 939.50(3)(h) and § 939.62(1)(b), upon conviction of this charge, a Class H Felony, the maximum penalty for this crime is a fine not to exceed \$10,000 or imprisonment not to exceed ten (10) years, or both.

FACTUAL BASIS

1. The complainant is a State of Wisconsin State Capitol Police Detective. The complainant has over 28 years of full time experience as a law enforcement officer. The complainant has investigated white collar, death, burglary, sexual assault, theft, identity theft, tax fraud, forgery and assorted other criminal cases.
2. On July 12, 2010, the complainant received three documents from Fond Du Lac County Circuit Court Clerk Tammy Patchette-Wirekus, an adult citizen witness.
 - i. The first document purports to be an “ORDER AND DECISION” awarding guardianship of a minor child named “Mathew Klewin” to “Kristine Flynn.” The document further orders the transfer to Kristine Flynn of the following: “All bank accounts held by Darlen and William Chart, Michael Chart that is (sic) held in Trust for Mathew Klewin,” “All stocks, Bonds, Gifts,” “All Bank Accounts and statements and bank books.” This document purports to be signed by Fond Du Lac County Circuit Court Judge “Steven Winkie (sic)” on June 18, 2010.
 - ii. The second document purports to be a “NOTICE”, regarding “MATHEW KLEWIN 1/30/98 DOB.” This document orders “all police officers of the State of Wisconsin” that to assist Kristine A. Flynn “in retrieving” the minor child

Mathew Klewin, along with the child's banking records, bank accounts, stocks, bonds, and annuities. This document purports to be signed by Fond Du Lac County Circuit Court Judge "Steven Winkie (sic)" on June 18, 2010.

- iii. The third document purports to be a "NOTICE," regarding "Mathew Klewin" reflects that the mother of the child "Michelle Klewin" terminates the guardianship from the Chart family and that the child is to "be turned over to his adoptive father to be, Kristine A. Flynn." The document purports to be put into legal effect by the following language: "So ordered," which is followed by the purported signature of the "Honorable Judge Steven Winkie (sic)" on June 18, 2010.

Patchette-Wirekus stated that she received these documents from Margaret Burnett, who reported that the documents originally came from Kristine Flynn. Patchette-Wirekus stated that she has been familiar with Judge Weinke's signature since 1995 and that the signature that appears on the three documents described above are not that of the real Judge Weinke.

3. Patchette-Wirekus also provided the complainant with handwritten letters which had been sent to the Burnett family by Kristine Flynn. In a letter dated June 9, 2010, Flynn claims that on June 3, 2010, that a judge awarded her custody of a child named Mathew Klewin. She goes on to claim that she has full permanent guardianship of the boy, all of his personal belongings, and all bank accounts. Flynn then writes that she needs the Burnett family to bail her out because "the boy has 250,000 in bank accounts that I have to be out to get my hands on." The letter is signed: sincerely Kris, Michelle, and Mathew.

4. On July 12, 2010, the complainant spoke with Michelle Klewin, a prison inmate at the Taycheedah Correctional Facility. Klewin was shown a copy of the three documents described in paragraph 3, above. Klewin reported that these documents were created at

the direction of Kristine Flynn. Klewin reported that Flynn created handwritten versions of the documents and that Klewin gave the handwritten versions to an inmate nick-named “Granny” for the purpose of making typewritten versions. Klewin said that, at the time, she wanted Flynn to have custody of Klewin’s son, Mathew, because Klewin was under the impression that her son might be sent away to a mental health institution. Klewin was shown the three separate purported judge signatures. Klewin stated that all three of them look like Flynn’s writing.

5. On July 12, 2010, the complainant spoke with Captain Tracey Gehrke of the Taycheedah Correctional Facility. The complainant knows that Gehrke is responsible for the investigation of inmate complaints. When the complainant asked Gehrke about an inmate by the nickname of “Granny,” Gehrke physically produced an inmate by the name of Deborah Hilgers-Schwersenska.

6. On July 12, 2010, the complainant interviewed Deborah Hilgers-Schwersenska. Hilgers-Schwersenska was shown the three documents and asked if she typed them. Hilgers-Schwersenska stated that she typed the first document, titled “ORDER AND DECISION.” She said that she did not type the other two documents. She stated that when she saw the documents relating to Notice to police, that she decided that she did not want anything to do with that. She questioned Michelle Klewin about the judge and Klewin told Hilgers-Schwersenska that Kristine Flynn has a friend who is a judge.

7. On July 15, 2010, the complainant interviewed Margaret Burnett, an adult citizen witness. Burnett said that she has known Kristine Flynn for twelve years. Burnett reported that when she received the documents described in paragraph 3, above, in the mail from Flynn, Burnett recognized the judge signatures as Flynn’s handwriting. Burnett then contacted the Clerk of Courts in Fond Du Lac County to inform them of her receipt of these documents. Burnett then sent the suspect documents to the Clerk of

Circuit Court in Fond Du Lac. Further, Burnett turned over to the complainant a sealed envelope from inmate number 337725, which complainant recognizes as Kristine Flynn's DOC number. On the face of the envelope appears the following language: "Legal Papers on Mathew" and "Legal Purpose Only." Within the envelope the complainant found original documents described in paragraph 3, above, with the falsified signatures of the judge in blue ink.

8. On July 15, 2010, the complainant spoke again with Tammy Patchette-Wirekus, who was given a copy of the documents described in paragraph 3, above. Patchette-Wirekus stated that she showed them to the judge and that the judge drafted and signed an affidavit regarding the documents on July 15, 2010. The complainant has reviewed said affidavit of Judge Steven Weinke. In the affidavit the judge states that he did not author or sign the documents and that he has not been active as a circuit court judge since May 1, 2010.

9. The complainant spoke with Department of Corrections employee Beckie Marcoe, who is employed in the records unit of a Wisconsin State Prison known as the Taycheedah Correctional Institution (TCI). Marcoe informed the complainant that Kristine Flynn was incarcerated at TCI from July 7, 2000, until June 22, 2010.

10. The complainant knows that TCI is located in the County of Fond Du Lac, State of Wisconsin.

HABITUAL CRIMINALITY

11. The complainant has reviewed certified judgments of conviction for Kristine Flynn. In particular, Flynn was convicted of False Imprisonment, a Class E Felony, contrary to § 940.30, and Attempted Escape, a Class D Felony, contrary to § 946.42(3)(a), on March 5,

2004, in Fond du Lac County Circuit Court. Said convictions remain valid convictions of record and have never been reversed or overturned.

12. Pursuant to § 939.62(2), an actor is a repeater, if the actor was convicted of a felony during the 5-year period immediately preceding the commission of the current crimes. Further, according to § 939.62(2), "in computing the preceding 5-year period, time which the actor spent in actual confinement serving a criminal sentence shall be excluded." In the present case, Flynn has been incarcerated continuously, serving a criminal sentence, since the time of the two felony convictions referred to in paragraph 11 of this complaint.

END OF COMPLAINT

Dated this ____ day of _____, 2010. Complaining Witness:

ED BARDON, Detective
Wisconsin State Capitol Police

*Subscribed and sworn to before me and approved for filing
this _____ day of _____ 2010.*

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